EASTERN DISTRICT OF NEW YORK	
In re:	Chapter 11
ORION HEALTHCORP, INC <sup>1</sup> .	Case No. 18-71748 (AST)
Debtors.	(Jointly Administered)
HOWARD M. EHRENBERG IN HIS CAPACITY AS LIQUIDATING TRUSTEE OF ORION HEALTHCORP, INC., ET AL.,	Adv. Pro. No. 20-08052 (AST)
Plaintiff,	
v.	
ABRUZZI INVESTMENTS, L.L.C.; JOHN PETROZZA,	
Defendants.	

AFFIDAVIT OF JEFFREY P. NOLAN
IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT OR IN THE
ALTERNATIVE, SUMMARY ADJUDICATION AGAINST DEFENDANTS
ABRUZZI INVESTMENTS, L.L.C. AND JOHN PETROZZA,

STATE OF CALIFORNIA	)	
	)	ss.:
COUNTY OF LOS ANGELES	)	

UNITED STATES BANKRUPTCY COURT

<sup>&</sup>lt;sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Orion Healthcorp, Inc. (7246); Constellation Healthcare Technologies, Inc. (0135); NEMS Acquisition, LLC (7378); Northeast Medical Solutions, LLC (2703); NEMS West Virginia, LLC (unknown); Physicians Practice Plus Holdings, LLC (6100); Physicians Practice Plus, LLC (4122); Medical Billing Services, Inc. (2971); Rand Medical Billing, Inc. (7887); RMI Physician Services Corporation (7239); Western Skies Practice Management, Inc. (1904); Integrated Physician Solutions, Inc. (0543); NYNM Acquisition, LLC (unknown) Northstar FHA, LLC (unknown); Northstar First Health, LLC (unknown); Vachette Business Services, Ltd. (4672); Phoenix Health, LLC (0856); MDRX Medical Billing, LLC (5410); VEGA Medical Professionals, LLC (1055); Allegiance Consulting Associates, LLC (7291); Allegiance Billing & Consulting, LLC (7141); New York Network Management, LLC (7168). The corporate headquarters and the mailing address for the Debtors listed above is 1715 Route 35 North, Suite 303, Middletown, NJ 07748.

JEFFREY P. NOLAN, being duly sworn, deposes and says:

- 1. I am an attorney at law duly licensed to practice before all courts in the State of California. I am an attorney with the law firm of Pachulski Stang Ziehl & Jones LLP, attorneys of record for Plaintiff, Howard M. Ehrenberg in his capacity as Liquidating Trustee of Orion Healthcorp, Inc., et al., for the estates of the above-captioned debtors, counsel of record in this adversary proceeding. The facts stated herein are of my own personal knowledge, or made known to me from a review of the files and pleadings in this action which are maintained in the ordinary course of business. If called upon as a witness to any facts set forth herein, I could and would competently testify thereto.
- Plaintiff filed the complaint (the "<u>Complaint</u>") in this action on March 14,
   2020 [Docket No. 1]. A copy of the Complaint is attached hereto as **Exhibit 1**.
- 3. Attached hereto as **Exhibit 2** are true and correct copies of excerpts of the deposition of John Petrozza taken on March 2, 2021 in the above referenced adversary.
- 4. Attached hereto as **Exhibit 3** is a true and correct copy of the June 28, 2018 correspondence with attached the unredacted Robinson Brog IOLA Quick Report as produced in the main bankruptcy cases In re: OrionHealthcorp, et al.
- 5. Attached hereto as **Exhibit 4** is a true and correct copy of the Expert Report of Craig Jacobsen as produced and designated in this adversary action.
- 6. Attached hereto as **Exhibit 5** is a true and correct copy of M&T Bank Statement, bate-stamped Abruzzi M&T 00007-8 in response to a duly issued subpoena.
- 7. Attached hereto as **Exhibit 6** is the Proposed Order Granting Plaintiff's Motion For Summary Judgment, Or In The Alternative Summary Adjudication, Against Defendants John Petrozza and Abruzzi Investments, LLC.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 18th day of February, 2022 at Los Angeles, California.

Jeffrey P. Nolan

SWORN TO AND SUBSCRIBED before me this 18<sup>th</sup> day of February, 2022

SOPHIA LOUISA LEE
Notary Public - California
Los Angeles County
Commission # 2337676
My Comm. Expires Dec 16, 2024